

Unified Planning Work Program

Fiscal Year 2006
(July 1, 2005 through June 30, 2006)

For the

Bloomington/Monroe County
Metropolitan Planning Organization



Prepared By:

City of Bloomington Planning Department
Bloomington, Indiana
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EXECUTIVE SUMMARY

The following is the executive summary of the FY 2006 MPO Work Program. One of the federal requirements of the urban transportation planning process involves the development of a Unified Planning Work Program (UPWP). The UPWP describes all planning activities that are anticipated in the MPO study area over the next programming year, and documents the work that will be performed with federal planning monies.

The Federal Highway Administration (FHWA) has requested Metropolitan Planning Organizations (MPOs) to consider six Planning Emphasis Areas (PEAs) for this year. The Bloomington/Monroe County MPO has made the effort to include these areas of emphasis as much as possible in the FY 2006 UPWP.

- ***Consideration of Safety and Security in the Transportation Planning Process.***
Explanation: This PEA is related to TEA-21 legislation and calls out for communication with safety professionals and the enforcement community in order to integrate safety and security into the transportation planning process. It also proposes advancing safety into transportation planning through proper training, discussion forums, and stakeholder workshops. In response, the MPO proposes to develop and implement a safety rating factor to score future Transportation Improvement Projects, as outlined under work element #201.02. In addition, work element #102.01 includes attending future INDOT and FHWA sessions when applicable training opportunities are offered.
- ***Linking the Planning and NEPA Process.***
Explanation: The FHWA and FTA are developing guidance on determining the role of local MPO decisions as they relate to National Environmental Policy Act (NEPA) decision-making. In response, the MPO will be attending future workshops on this topic when classes are offered (work element #102).
- ***Consideration of Management and Operations within Planning Processes.***
Explanation: This PEA also originated with TEA-21 and focuses on the need to improve the way that transportation systems are both managed and operated. At the federal level, this will be implemented by the development of a special course as well as creation of a reference guide entitled, "Getting More by Working Together – Opportunities for Linking Planning and Operations". In response, this guide as well as training opportunities will be provided to MPO Staff under work element #102.
- ***State DOT Consultation with Non-Metropolitan Local Officials.***
Explanation: This PEA directs each State to have documented processes in place to facilitate consultation with local officials in the statewide transportation process. While this directive does not specifically affect the MPO Work Program at this time, the MPO is committed to helping INDOT facilitate such consultations as the need arises. This would affect work element #101.
- ***Enhancing the Technical Capacity of Planning Processes.***
Explanation: This PEA is designed to ensure that the local MPO is providing reliable technical analysis, data collection, and forecasting in association with its assessments of current and projected usage of the transportation system. Just two examples of such assessments can be found under work elements #301 and #401. Additionally, MPO staff will continue to enhance our ability to provide reliable technical support through training and professional development (work element #102).
- ***Coordination of Human Service Transportation.***
Explanation: This PEA is designed to enhance the ability of communities in providing basic transportation needs for citizens who lack resources to rely on personal vehicles. The MPO Work Program addresses this PEA through work element #201.05 which provides an evaluation of transit service ADA accessibility; #203.03 which will examine opportunities to extend alternative transportation options to peripheral destinations, parks, and schools; and #403.01 which will provide recommendations for short and long term improvements to transit service.

Funding:

The Funding section of the UPWP states the federal and local funding amounts and distributions for the Bloomington/Monroe County MPO.

#100 Level Functions: (pages 10-14)

This section focuses on program administration of the MPO. In this section staff provides administrative support functions such as coordinating MPO meetings and attending INDOT meetings as required. Staff also charges time toward this function as it prepares and submits the required quarterly reports and billings to INDOT.

Emphasis to fill current vacancies with qualified personnel is a top priority of the MPO Administration. This year we will be fiscally limited in the ability for training and professional development. However, staff will participate in state sponsored training and educational activities. Program activities will focus on building upon planning coordination and public participation efforts.

#200 Level Functions: (pages 15-21)

This section focuses on annual documents and short-range studies that must be produced by the MPO. In addition to the annual documents that are required of the MPO, the following studies are included for FY 2006:

- Technical memo on project prioritization
- Bicycle Safety/ Education promotion plan
- Annual Accident Report
- Transit Database Report

#203 Alternative Transportation and Greenways System Plan

This element of the work program includes any work that is required to update and evaluate the Greenways Plan. As part of this work element, staff will conduct a bike rack and signage inventory to assist with a needs assessment.

We will also continuing and accelerate City coordination with the Monroe County Planning Department to extend alternative transportation planning into areas outside of the City of Bloomington but within the MPO area.

#300 Level Functions (pages 22-26):

Vehicular and bicycle/pedestrian data collection will continue to be a primary component of this section. The ability to reliably collect and evaluate this information is critical to the long range transportation plan process. Staffing in this area continues to provide sufficient data for a variety of purposes; including information necessary for the 2030 Transportation Plan update. The MPO staff will continue to expand capabilities for adequate data collection, including programs which provide a system-wide approach to the collection of traffic data throughout Monroe County.

#400 Level Functions (pages 27-29):

The fundamental purpose of this section is to ensure the integrity of the multi-modal long-range transportation plan update process, which occurs on a five year cycle. Regular training, database management, and collaboration are fundamental work elements to the continuous maintenance of the plan.

Recent staff vacancies and budget constraints have prolonged the 2025 update process. The current 2025 Transportation Plan will expire in July 2005 and the need to adopt a new plan is paramount to the FY 2006 UPWP. As a result, a consultant will be hired in the near future to provide greater assistance in updating the 2025 Transportation Plan.

No significant work program areas were changed in this year's document:

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Bloomington/Monroe County MPO Structure and Administration for Fiscal Year 2006 (July 1, 2005 through June 30, 2006)

Introduction

In March 1982, the Governor of the State of Indiana designated the City of Bloomington Plan Commission as the Metropolitan Planning Organization (MPO) for the Bloomington urbanized area. The MPO is responsible for ensuring that the Bloomington urbanized area has a continuing, cooperative, and comprehensive (3 C) transportation planning process. The 3 C planning process is outlined in the urban planning regulations jointly issued in the Federal Register by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) on September 17, 1975, as amended on June 30, 1983.

Federal transportation policy and programs relating to MPO's are guided by the Transportation Equity Act for the 21st Century (TEA-21), which was signed into law on June 9, 1998. This legislation updates Titles 23 and 49 of the United States Code (U.S.C.) and builds on the major changes made to Federal transportation policy and programs addressed in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Federal transportation policy, as reflected in the strategic goals of the U.S. Department of Transportation (DOT), the FHWA, and its Environmental Policy Statement, continues to stress mobility, protection of human and natural environment, and community preservation, sustainability, and livability. Federal certification of the 3 C planning process is a prerequisite for obtaining approval of any subsequent transportation improvement projects, which are to be funded by the FHWA and/or FTA.

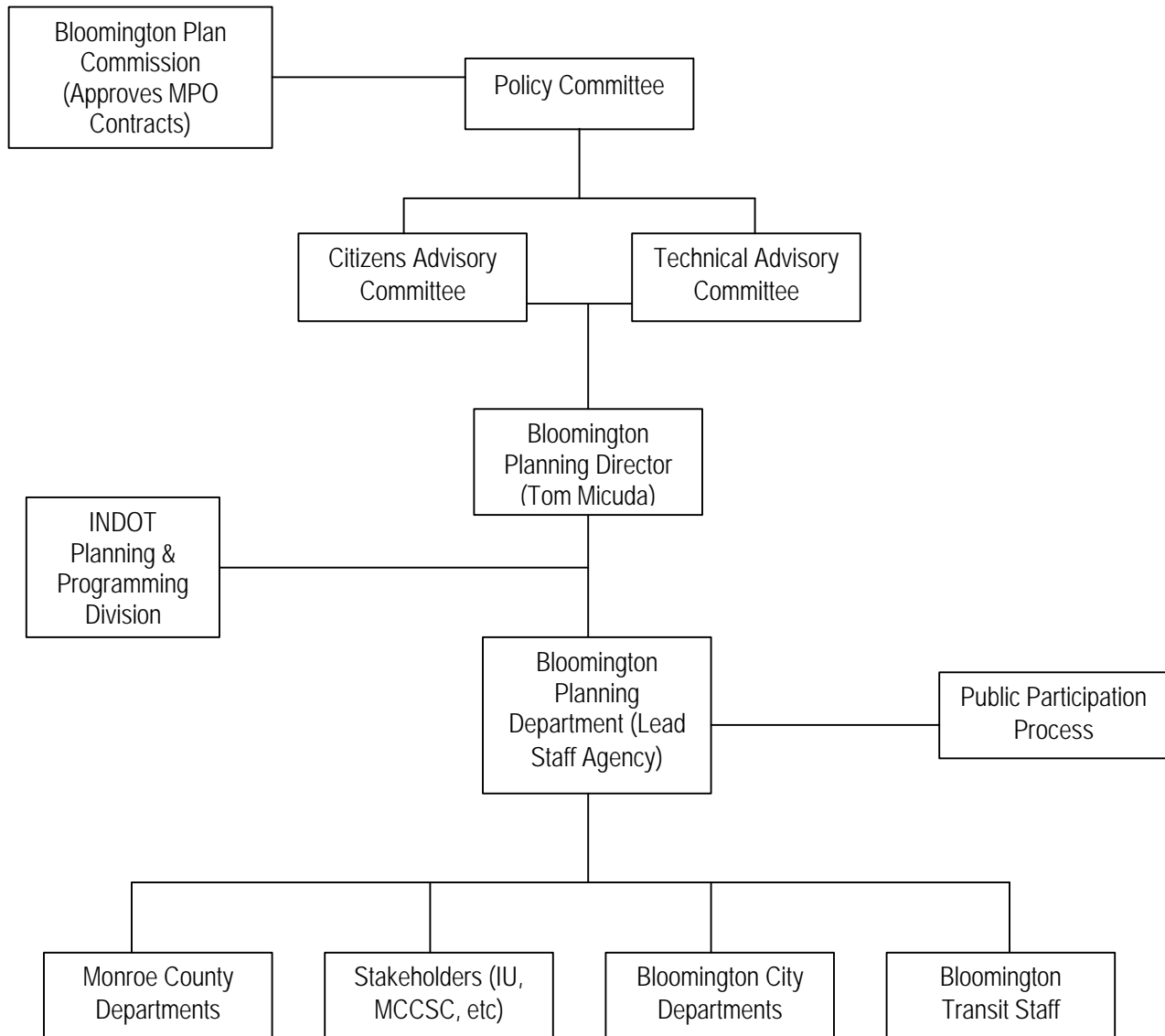
One of the requirements of the urban transportation planning process for an MPO involves the development of a Unified Planning Work Program (UPWP), which describes all planning activities which are anticipated in the urbanized area over the next programming year. The UPWP also documents the work that will be performed with federal planning funds. This document is intended to satisfy the Bloomington area's work program requirement for the Fiscal Year 2006 (July 1, 2005 to June 30, 2006). It is entitled, and shall hereafter be referred to as the FY 2006 Unified Planning Work Program.

MPO Structure

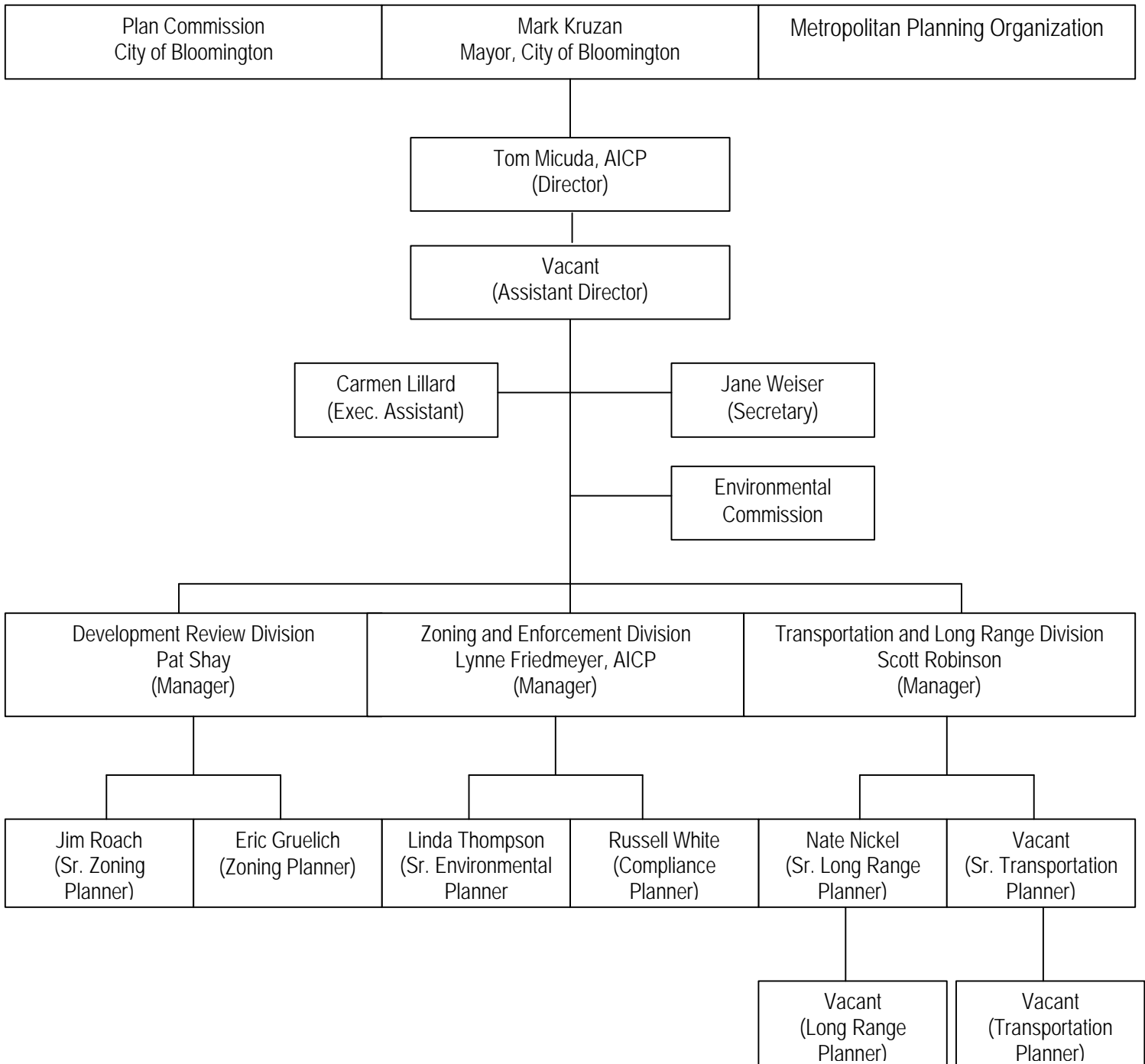
The Bloomington/Monroe County MPO consists of more than the City of Bloomington Plan Commission. The MPO is an organization consisting of a three-part intergovernmental steering committee, the Plan Commission as the contracting entity, and the City of Bloomington Planning Department as the lead staff agency.

The three-part intergovernmental steering committee is made up of a Citizens Advisory Committee (CAC), Technical Advisory Committee (TAC), and a Policy Committee which acts as the decision making body. This arrangement effectively provides for close communication between the technical planning staff, key policy/decision makers, and citizen representatives. In addition, the Planning Department maintains close working relationships with other City of Bloomington departments, Monroe County governmental agencies, Bloomington Public Transportation Corporation, Indiana University, the Town of Ellettsville, Monroe County and Richland Bean Blossom Community School Corporations, and the Indiana Department of Transportation. The next three pages show the MPO Committee organization structure, the MPO staff organization structure, and the composition of the MPO's steering committee.

Bloomington/Monroe County MPO
Organizational Chart



City Of Bloomington Planning Department
Organizational Chart



Bloomington/Monroe County MPO Committee Composition

Policy Committee

- Mayor, City of Bloomington – Mark Kruzan
- Commissioner, Monroe County Commissioners – Joyce Poling
- Monroe County Council – Mark Stoops
- Common Council, City of Bloomington – Andy Ruff
- President, Monroe County Plan Commission – vacant
- President, City of Bloomington Plan Commission – Bill Stuebe
- Director of Real Estate, Indiana University – Lynn Coyne, *Policy Committee Vice Chair*
- Bloomington Public Transportation Corporation – Kent McDaniel, *Policy Committee Chair*
- Chair, MPO Citizens Advisory Committee – Jack Baker
- Director, City of Bloomington Public Works Department – Julio Alonso
- Town of Ellettsville, Pat Stoffers
- Indiana Department of Transportation Planning and Programming – Carter Keith

Technical Advisory Committee

- Deputy Director, City of Bloomington Public Works Department– Toni McClure
- Manager, City of Bloomington Engineering Services– Justin Wykoff, *Technical Committee Chair*
- Engineer, Monroe County Highway Department – Bill Williams, *Technical Committee Vice Chair*
- Director of Operations, City of Bloomington Parks and Recreation Department – Dave Williams
- Director, Monroe County Planning Department – Robert Cowell
- Director, City of Bloomington Planning Department – Tom Micuda
- Vice Chair, MPO Citizens Advisory Committee (non-voting) – Patrick Murray
- Executive Director of Transportation, Indiana University – Maggie Whitlow
- General Manager, Bloomington Transit – Lew May
- Controller, City of Bloomington, - Susan Clark
- Manager, Rural Transit - Jewel Echelbarger
- Assistant Engineer, City of Bloomington Utilities Department – Jane Fleig
- GIS Coordinator, City of Bloomington – Laura Haley
- Director Planning Services, Town of Ellettsville – Frank Nierzwicki
- Transportation Director, Monroe County Community School Corporation – John Carter
- Street Commissioner, City of Bloomington Street Department – Bobby Chestnut
- Local Assistance Representative, Indiana Department of Transportation – Glenda Seal
- Planning and Programming, Indiana Department of Transportation – Emmanuel Nsonwu
- Project Manager, Indiana Department of Transportation – Brian Jones
- Federal Highway Administration (non-voting) – Tony DeSimone

Citizens Advisory Committee

- City Council Appointee
- Mayoral Appointees (three)
- County Commissioners Appointee
- County Council Appointee
- INDOT – Seymour District
- Bloomington Bicycle and Pedestrian Safety Commission
- Bloomington Bicycle Club
- Bloomington Bike Project
- Bloomington Board of Realtors

- Bloomington Chamber of Commerce
- Bloomington City Council Member
- Bloomington Council for Community Accessibility
- Bloomington Downtown Commission
- Bloomington Economic Development Commission
- Bloomington Environmental Commission
- Bloomington Historic Preservation Commission
- Bloomington Traffic Commission
- Bloomington Transit Commission
- Abilities Unlimited
- Area 10 Agency on Aging
- Center for Sustainable Living
- Monroe County Division of Family and Children Services
- Indiana University Student Association
- Indiana University SPEA
- League of Women Voters
- Citizens not representing a neighborhood or agency (3)
- Bloomington Neighborhood Association Representatives (Arden Place, Autumn View, Bitner Woods, Blue Ridge, Broadview, Bryan Park, Cascades Addition, Crestmont, Eastern Heights, East Side, Elm Heights, Fritz Terrace, Garden Hill, Gentry Estates, Green Acres, Highland Village, Hoosier Acres, Hyde Park, Kenwood, Kensington, Matlock Heights, McDoel Gardens, Miller Drive, Nancy/Hillside, Near Westside, Northwood Estates, Old Northeast Downtown, Park Ridge, Park Ridge East, Prospect Hill, Rockport Hills, Rolling Oaks, Sherbrooke Place, Sherwood Oakes, Sherwood Green, Sixth and Ritter, Somerset, Southeast Coalition, South Griffy, Sycamore Knolls, Waterman, West Pointe, Winslow Farms, Woodview)

FUNDING AND STAFF SUPPORT

Federal Funding Availability

The Bloomington/Monroe County MPO has \$217,940.00 funds available for programming from the Federal Highway Administration (page 30), and \$47,808.00 planning funds available for programming from the Federal Transit Administration (page 31). These funds are available on a 20% local match basis, thereby requiring a local match assurance of \$64,450.00 (pages 31-33) should all funds be used.

Federal Funding Rationale

The Bloomington/Monroe County MPO will continue the approach taken last fiscal year concerning federal funding in regards to only allocating transit funding into three categories. For the FY 2006 UPWP, transit funding will be allocated to #101 – Transportation Planning Coordination and #201 – Annual Documents, and #403 – Bloomington Transit Fixed Route Operational Analysis. The other elements will use only Federal Highway monies as a funding source

Table 1 – Summary Project Budget by Funding Source

Work Element	FHWA/STP	FHWA/STP Match	FTA Funds	FTA Match	Total
101	\$ 23,696.00	\$ 5,924.00	\$ 5,904.00	\$ 1,476.00	\$ 37,000.00
102	\$ 12,160.00	\$ 3,040.00	\$ -	\$ -	\$ 15,200.00
103	\$ 8,800.00	\$ 2,200.00	\$ -	\$ -	\$ 11,000.00
100s - Total	\$ 44,656.00	\$ 11,164.00	\$ 5,904.00	\$ 1,476.00	\$ 63,200.00
201	\$ 14,096.00	\$ 3,524.00	\$ 5,904.00	\$ 1,476.00	\$ 25,000.00
202	\$ 1,600.00	\$ 400.00	\$ -	\$ -	\$ 2,000.00
203	\$ 21,040.00	\$ 5,260.00	\$ -	\$ -	\$ 26,300.00
200s - Total	\$ 36,736.00	\$ 9,184.00	\$ 5,904.00	\$ 1,476.00	\$ 53,300.00
301	\$ 32,600.00	\$ 8,150.00	\$ -	\$ -	\$ 40,750.00
302	\$ 2,000.00	\$ 500.00	\$ -	\$ -	\$ 2,500.00
303	\$ 4,000.00	\$ 1,000.00	\$ -	\$ -	\$ 5,000.00
304	\$ 50,000.00	\$ 12,500.00	\$ -	\$ -	\$ 62,500.00
300s - Total	\$ 88,600.00	\$ 22,150.00	\$ -	\$ -	\$ 110,750.00
401	\$ 40,000.00	\$ 10,000.00	\$ -	\$ -	\$ 50,000.00
403	\$ -	\$ -	\$ 36,000.00	\$ 9,000.00	\$ 45,000.00
	\$ -	\$ -	\$ -	\$ -	\$ -
400s - Total	\$ 40,000.00	\$ 10,000.00	\$ 36,000.00	\$ 9,000.00	\$ 95,000.00
Overall Total	\$ 209,992.00	\$ 52,498.00	\$ 47,808.00	\$ 11,952.00	\$ 322,250.00

Table 2 – Object Class Budget By Funding Source

Object Class	FHWA/STP Funds	FHWA/STP Match	FTA Funds	FTA Match	Total
Direct Chargeable Salaries	\$ 100,250.00	\$ 25,062.50	\$ -	\$ -	\$ 125,312.50
Fringe Expenses	\$ -	\$ -	\$ -	\$ -	\$ -
Indirect Expenses	\$ -	\$ -	\$ -	\$ -	\$ -
Other Expenses*	\$ 109,742.00	\$ 27,435.50	\$ 47,808.00	\$ 11,952.00	\$ 196,937.50
Totals	\$ 209,992.00	\$ 52,498.00	\$ 47,808.00	\$ 11,952.00	\$ 322,250.00

* The Other category includes contractual, travel, direct employment, supply repair, and miscellaneous expenses. The contractual expenses includes, but is not limited to, third party agreements with Bloomington Public Transportation Corporation, the City of Bloomington Public Works Department (and all of its divisions), City of Bloomington ITS Department, and the Monroe County Highway Department.

Table 3 – Fund Use by Performing Agency

Work Element	MPO Admin.	City Public Works	Bloomington Transit	Monroe County	Ellettsville	Total
101	\$ 37,000.00	\$ -	\$ -	\$ -	\$ -	\$ 37,000.00
102	\$ 1,000.00	\$ 1,000.00	\$ -	\$ 8,200.00	\$ 5,000.00	\$ 15,200.00
103	\$ 11,000.00	\$ -	\$ -	\$ -	\$ -	\$ 11,000.00
100s - Total	\$ 49,000.00	\$ 1,000.00	\$ -	\$ 8,200.00	\$ 5,000.00	\$ 63,200.00
201	\$ 25,000.00	\$ -	\$ -	\$ -	\$ -	\$ 25,000.00
202	\$ 2,000.00	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00
203	\$ 18,500.00	\$ -	\$ -	\$ 7,800.00	\$ -	\$ 26,300.00
200s - Total	\$ 45,500.00	\$ -	\$ -	\$ 7,800.00	\$ -	\$ 53,300.00
301	\$ -	\$ 27,000.00	\$ -	\$ -	\$ 13,750.00	\$ 40,750.00
302	\$ -	\$ -	\$ 2,500.00	\$ -	\$ -	\$ 2,500.00
303	\$ 5,000.00	\$ -	\$ -	\$ -	\$ -	\$ 5,000.00
304	\$ -	\$ 25,000.00	\$ -	\$ 25,000.00	\$ 12,500.00	\$ 62,500.00
300s - Total	\$ 5,000.00	\$ 52,000.00	\$ 2,500.00	\$ 25,000.00	\$ 26,250.00	\$ 110,750.00
401	\$ 25,000.00	\$ -	\$ -	\$ 25,000.00	\$ -	\$ 50,000.00
403	\$ -	\$ -	\$ 45,000.00	\$ -	\$ -	\$ 45,000.00
400s - Total	\$ 25,000.00	\$ -	\$ 45,000.00	\$ 25,000.00	\$ -	\$ 95,000.00
Overall Total	\$ 124,500.00	\$ 53,000.00	\$ 47,500.00	\$ 66,000.00	\$ 31,250.00	\$ 322,250.00

* Reflects anticipated cost for projects that will be contracted out to independent consulting firms or capital expense.

Table 4 – Person Hours

Work Element	City Planning	City Public Works	Bloomington Transit	Other*	Total
101	1,019	0	0	0	1,019
102	242	0	0	428	670
103	350	0	0	0	350
<i>100s - Total</i>	<i>1,611</i>	<i>0</i>	<i>0</i>	<i>428</i>	<i>2,039</i>
201	677	0	0	0	677
202	468	0	0	0	468
203	550	0	0	120	670
<i>200s - Total</i>	<i>1,695</i>	<i>0</i>	<i>0</i>	<i>120</i>	<i>1,815</i>
301	0	445	0	445	890
302	0	0	143	0	143
303	156	0	0	0	156
304	0	751	0	578	1,329
<i>300s - Total</i>	<i>156</i>	<i>1,196</i>	<i>143</i>	<i>1,023</i>	<i>2,518</i>
401	54	0	0	0	54
403	0	0	1,170	0	1,170
<i>400s - Total</i>	<i>54</i>	<i>0</i>	<i>1,170</i>	<i>0</i>	<i>1,224</i>
Overall Total	3,516	1,196	1,313	1,571	7,596

3rd Party Agreements

In order to maximize limited resources and staff time the MPO has entered into agreements with Bloomington Public Transportation Corporation, the City of Bloomington Public Works Department (and all of its divisions), Monroe County Highway Department and the Indiana Department of Transportation. These 3rd party agreements provide a mechanism for coordination and ensure that duplication of services is kept to a minimum. Each party receiving federal assistance is responsible for providing the 20% local match requirement.

The 3rd Party Agreement with Monroe County allows the Bloomington/Monroe County MPO to conduct traffic counting procedures and transportation planning analysis in the portion of Monroe County that is not within the MPO study area. The information collected from this agreement will be shared between the MPO and the Monroe County Highway and Planning Departments.

COMPREHENSIVE PLANNING COORDINATION AND OUTREACH PROGRAM

101 – Transportation Planning Coordination

Objective:

To ensure the coordination of transportation planning activities among the City of Bloomington, Monroe County, the Bloomington Public Transportation Corporation, Indiana University, and the Indiana Department of Transportation. To provide administrative activities and documentation to ensure that Section 5303 funds and PL funds are available to the Bloomington/Monroe County Metropolitan Planning Organization. To participate in the Association of Indiana Metropolitan Planning Organizations, thereby ensuring that the interests of the Bloomington urbanized area are represented among other MPOs around the state, the Indiana Department of Transportation, and the United States Department of Transportation.

Responsible Staff:

MPO Administrative Staff

101.01 - Intergovernmental Coordination

Description:

Work to be conducted under this element will contain all activities associated with maintaining the MPO Policy Committee and the MPO Technical Advisory Committee, revisions to the urbanized boundaries based on the 2000 Census, maintenance and upkeep to the Master Thoroughfare Plan as needed. In addition, all staff member representation to the City of Bloomington Bicycle and Pedestrian Safety Commission is included under this element.

Meetings of the MPO Policy Committee will be held on a quarterly basis, while the MPO Technical Advisory Committee will meet on a monthly basis. Activities that can be anticipated in association with these committees include the preparation of information packets for each meeting, clerical support activities, and documentation of such meetings. All meetings will be open to attendance from the public and preparation of proper meeting notification will be included under this work element.

City of Bloomington Planning Department staff will also attend regularly scheduled meetings, work sessions, and subcommittee meetings for the Bloomington Bicycle and Pedestrian Safety Commission (BBPSC).

The Bloomington MPO staff will also be an active participant in the Indiana Department of Transportation's (INDOT) Program Development Process (PDP). This activity will include several meetings with INDOT's Seymour District Office in the early development of area transportation projects.

End Product(s):

- 5 MPO Policy Committee meetings
- 10 MPO Technical Advisory Committee meetings
- Urban Area Boundary Review (using 2000 Census data)
- Attendance of BBPSC meetings
- PDP meetings with INDOT's Seymour District Office

101.02 – Federal Highway Administration and Federal Transit Administration Planning Grants

Description:

Preparation and submittal of quarterly progress reports that include updates of all activities that have occurred towards completion of the UPWP during that quarter. Preparation and submittal of quarterly billing statements that include the Financial Status Report. Preparation and submittal of the Annual Completion Report that documents all activities that have occurred in association with completion of the UPWP during the fiscal year. Preparation and submittal of an Annual Self-Certification Statement with all required supporting materials.

End Product(s):

- Quarterly Progress Reports
- Quarterly Billing Statements
- Annual Completion Report
- Annual Self Certification Statement

101.03 – Association of Indiana Metropolitan Planning Organizations

Description:

The 13 Metropolitan Planning Organizations from the State of Indiana have formed an association that meets monthly (MPO Council) and sponsors the MPO conference on an annual basis. The monthly meetings provide an opportunity for the MPOs to discuss and coordinate on transportation planning topics and issues. The conference provides the opportunity for the MPOs to share experiences among staff, as well as bring outside speakers to present transportation planning topics that are not readily known in the region.

End Product(s):

- Attendance at MPO Council monthly meetings
- Attendance at the Annual MPO Conference (2005)

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$23,696.00	\$5,924.00	\$4,428	\$1,476.00	\$37,000.00

FY 2005 Activity:

In FY 2005 the City Planning staff assisted the MPO Policy, Technical Advisory Committee, Citizens Advisory Committee and regularly attended meetings of the Bloomington Bicycle and Pedestrian Safety Commission. Staff attended meetings of the MPO Council, and attended the 2004 MPO conference in Indianapolis.

102 – Training and Professional Development

Objective:

To provide for the ongoing educational and equipment needs of the transportation planning staff, thereby ensuring that appropriate and current planning methodology is utilized for the Bloomington urbanized area. To advance the state-of-practice in addressing safety and security in planning process. To participate in training activities which link local MPO decisions to NEPA decision making. To improve the way transportation systems are managed and operated. To enhance the technical capacity of MPO planning activities.

Responsible Staff:

MPO administrative staff, Monroe County, Town of Ellettsville, Public Works Department (including all of its divisions), and any agency that has identified a need in their 3rd party agreement.

102.01 - Staff Training, Education, and Technical Needs

Description:

In house expertise in transportation planning matters will be developed through attendance and participation in transportation related courses, seminars, and conferences, as well as the purchase of reference materials and hardware/software.

End Product(s):

- Attendance at the Annual Indiana MPO Association Conference by all transportation related staff.
- Attendance at a minimum of 1 training course by transportation related staff.
- Attendance at the Indiana Planning Association (IPA) Conference
- Attendance at the Transportation Research Board (TRB) Conference
- Attendance at the Annual Purdue Road School Conference
- Attendance at the Infrastructure Management software training sessions
- Attendance at a Regional Transportation Conference
- Attendance at a one day freight workshop
- Professional development training: “Getting More by Working Together – Opportunities for Linking Planning and Operations”
- Purchase of books and periodicals related to transportation planning
- Use of any and all information obtained during attendance at transportation-related courses, seminars, and conferences; or obtained in reference materials and equipment purchased.

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$12,160.00	\$3,040.00			\$15,200.00

FY 2005 Activity:

Staff attended the Annual Indiana MPO Association Conference and the Annual Purdue Road School Conference held in West Lafayette. Staff also attended several Transportation Modeling Training sessions.

103 – Public Participation Coordination

Objective:

Provide for continual public involvement in the MPO's planning process to successfully fulfill requirements determined in TEA-21. To uphold the MPO's plan for "assuring that the process provides full and open access to all." To provide the public with access to information pertaining to the functions, responsibilities, and projects of the MPO. To increase public awareness and interaction with the MPO. To incorporate current federal environmental justice procedures within the Bloomington MPO public involvement process.

Responsible Staff:

MPO Administrative Staff

103.01 – Citizens Advisory Committee (CAC)

Description:

Citizen input in transportation planning is a necessity. To help achieve this, the charter of the MPO established the formation of the Citizens Advisory Committee (CAC) in 1982. The CAC is a volunteer group consisting of representatives from community organizations, professional associations, neighborhood associations, and the private sector. It provides an avenue for obtaining public input for Policy Committee deliberation on transportation issues. Besides providing input directly to the Policy Committee, the CAC assists in developing public involvement programs to solicit general public input for the Policy Committee. There are 10 CAC meetings planned for FY 2006.

End Product(s):

- Meaningful input on current and future projects such as the TIP, Long Range Transportation Plan, and Accident Report.

103.02 – Web Page Upkeep

Description:

A World Wide Web presence provides the MPO with a new point of contact and interaction with the public that it serves. The MPO web site is a subsection of the City of Bloomington web site that already exists. Citizens, businesses, and other local community members will be able to access reports, data, updates, and other information related to the functions of the MPO. The MPO and the Planning Department staff will maintain this web site through regular updates as individual projects progress and new data is created over time.

End Product(s):

- On-going development and maintenance of the MPO Web Site

103.03 – Environmental Justice Policy and Enactment (Public Involvement)

Description:

The federal guidelines concerning environmental justice (EJ) have been evolving over the past few years. On February 11, 1994, President Clinton signed Executive Order 12898. This Executive Order directed each Federal agency to make achieving environmental justice part of its mission, by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low income populations.

The MPO staff will use the recently adopted Environmental Justice Policy Statement and the updated Public Involvement Process to integrate EJ objectives into the transportation planning process, the actions of the three MPO committees, all MPO public meetings, and the development of the MPO website. The citizen's guide to transportation planning activities will be used to educate citizens regarding MPO activities, contacts and resources.

End Product(s):

- Continued integration of the Environmental Justice Policy Statement objectives into the MPO planning activities and MPO committee actions
- Continued distribution of the citizens guide to transportation planning activities to libraries, neighborhood associations, and community centers
- Updated MPO Citizen's Advisory Committee bylaws
- Improved MPO web page to include environmental justice information

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$8,800.00	\$2,200.00			\$11,000.00

FY 2005 Activity:

Work completed under this element included: The enhancement of the Citizens Advisory Committee to include more outreach to neighborhood associations, scheduling of meetings for FY 2005 and additional work with the newly appointed Chair and Co-Chair of the Committee. The Chair of the Citizen's Advisory Committee was also made a voting member of the Policy Committee this year.

MULTI-MODAL TRANSPORTATION PLANNING PROGRAM

201 – Annual Documents

Objective:

To produce a work program that meets all requirements from the USDOT and INDOT to receive federal funding, as well as provide adequate planning activities to meet local transportation planning needs. To prepare a three-year program of transportation projects that reflects the results of the transportation planning process for the area and will be an information resource to elected officials, policy makers, and the public. To develop an Intelligent Transportation System (ITS) Assessment Report for the Bloomington/Monroe County MPO. To enhance the technical capacity of data collection and analysis in order to better assist decision-making. Improve current conditions and access to transit in the study area and address basic mobility needs of citizens' access to work, medical services, schools, and community activities.

Responsible Staff:

MPO Administrative Staff, Bloomington Transit

201.01 - Unified Planning Work Program

Description:

One of the requirements of the urban transportation planning process involves the development of a Unified Planning Work Program (UPWP). The UPWP describes all planning activities that are anticipated in the MPO study area over the next programming year, and documents the work that will be performed with federal planning monies. This element includes the preparation of a Cost Allocation Plan/Indirect Cost Proposal to be used in determining the billing rates for staff. In addition, 3rd Party Agreements with the City of Bloomington Public Works Department (and all of its divisions), City of Bloomington ITS Department, Monroe County Highway Department, and Bloomington Transit are prepared to assist in achieving the UPWP.

End Product(s):

- FY 2007 UPWP
- Cost Allocation Plan
- Updated 3rd Party Agreements

201.02 – Transportation Improvement Program

Description:

The development of a Transportation Improvement Program (TIP) is a requirement of the Federal Government in order for MPOs to be eligible for assistance from the Federal Highway Administration and the Federal Transit Administration. A project must be included in the TIP before it can be included in the Indiana Transportation Improvement Program (INSTIP) prepared by INDOT. Submitted projects from local entities will be reviewed for inclusion in the TIP to ensure compliance with the Bloomington/Monroe County Year 2025 Transportation Plan and short range planning activities.

End Product(s):

- FY 2007 – 2009 TIP
- Technical memo on project prioritization to Policy Committee
- Public Involvement workshops and web page development for public information
- Implementation of a safety-conscious planning (SCP) rating factor for TIP project scoring

201.03 – Intelligent Transportation System (ITS)

Description:

A group of technologies, known collectively as Intelligent Transportation Systems, or ITS, is being developed in urban areas throughout the world to improve transportation system efficiency. ITS uses a number of technologies, including information processing, communications, and control. By evaluating and possibly integrating these technologies with our transportation system, we can improve safety, reduce congestion, improve mobility, improve economic productivity, and save public investment dollars without negatively affecting the environment. An assessment of innovative technologies utilized by other cities will be completed. The goal of this assessment is to implement specific ITS architecture that can be incorporated into Bloomington's transportation system.

End Product(s):

- ITS Assessment Report

201.04 – Annual Accident Report

Description:

The annual accident report previously fell under the Highway Safety Management System, which was one of the six management systems required by ISTEA. Since those management systems are no longer required for MPO's, the annual report has become its own work element. The Bloomington/Monroe County MPO will continue to complete an accident report on an annual basis, due to the crucial information the report provides for identifying potentially dangerous locations in the study area. By identifying these areas, it allows the MPO to make improvements in the roadway network to increase the safety of motorists, bicyclists, and pedestrians. Inclusion of more bicycle and pedestrian accident data will be added to the report format this year.

End Product(s):

- Calendar Year 2001 and 2002 Accident Reports (vehicle, bicycle, pedestrian)

201.05 – Public Transportation Report

Description:

This element provides for monitoring transit system performance, developing recommendations for transit service improvements, and increasing the visibility of the transit agency in the surrounding community. This is a document that will perform a needs assessment for the transit agency in the MPO's study area. An inventory of all transit stops will be completed, with an evaluation of their ADA accessibility to be reviewed. Buses for each of the three systems will be evaluated for the number of miles driven, the age of the buses, and other operative statistics. The report will provide the City of Bloomington Planning Department, Bloomington Transit, Indiana University, and Rural Transit with information about areas underserved by transit, bus stops that may require improvements, and general background information on the buses in each system. The document will also be used as a maintenance tool for buses and services in each transit system.

End Product(s):

- FY 2005 Transit Report

201.06 – Transit Marketing Plan

Description:

Several continuous activities are covered under this element and involve both Bloomington Transit and Indiana University. Transit database reporting requires ongoing accumulation of operating statistics and placement into a format that will be compatible with future transit studies. The collection of this data will help in the refinement of the transit element in the Travel Demand Forecast Model.

Work to keep the Bloomington Transit website up-to-date is part of the goal of increasing visibility and access to the community. All ongoing website development maintenance is included under this work element.

Coordination with the City of Bloomington, Monroe County, and Indiana University plays an important role in the success of the transit systems. This includes maintaining the transit GIS layers, and making sure both agencies have proper input into all updates of the Year 2025 Transportation Plan.

In conjunction with the Transit Efficiency Study (Element 402), additional marketing will be done to promote recommendations made in the Study.

End Product(s):

- Transit Marketing Plan
- Transit Database Report
- Bloomington Transit website Development and Upkeep
- Additional Marketing Plans to promote Transit Efficiency Study recommendations

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$0,572.00	\$3,524.00	\$4,428.00	\$1,476.00	\$25,000.00

FY 2005 Activity:

The Fiscal Year 2006 UPWP was prepared by the MPO staff for the Bloomington urbanized area. Final work on the FY 2005 – 2007 TIP was completed and adopted in May, 2005, and the FY 2006 – 2008 TIP was prepared and adopted by the MPO Policy Committee. The Public Transportation Report was completed.

202 – Short Range Transportation Studies

Objective:

To coordinate and assist in site plan review for new development to ensure that proper transportation infrastructure and facilities are implemented to support the proposed development, and are not in conflict with the Year 2025 Transportation Plan or the Growth Policies Plan. To assist in the implementation of the Park and Ride Location Study.

Responsible Staff:

MPO Administrative Staff, Bloomington Transit

202.01 - Traffic Impact Analysis

Description:

Traffic access and impact analysis studies are intended to determine the need for any improvements to the adjacent and nearby roadway system to maintain a satisfactory level of service, safety, and appropriate access provisions for a proposed development. Traffic Impact studies may be required by the local agency in order to adequately assess the impact of a proposed development on the existing and planned street system. From these studies, proposed mitigation measures, including travel demand management strategies, are identified. A side benefit from traffic impact studies to the MPO is that these studies include detailed data on demographic information such as dwelling units and employees (via square footage estimates). The data can be used to maintain the MPO's travel demand forecast model to predict traffic volumes for approved, but not built, land uses within the MPO study area.

End Product(s):

- Traffic Impact Studies
- Staff Reports and Recommendations to local planning agencies
- Attendance at internal Development Review Committee Meetings
- Bicycle and Pedestrian Safety Commission memos as required

202.03 – Bicycle Safety/Education Study – Phase III

Description:

In conjunction with the Bloomington Bicycle and Pedestrian Safety Commission, staff will build on the study completed in FY 2002 that outlined safety/awareness efforts initiated in other cities. This phase will provide an awareness outreach plan that will detail necessary materials to be created as well as safety and education promotion activities.

End Product(s):

- Bicycle Safety/Education promotion plan
- Education and Awareness materials

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$1,600.00	\$400.00			\$2,000.00

FY 2005 Activity:

MPO staff performed traffic analysis for development cases in Bloomington. Staff attended regular meetings of the Bloomington Development Review Committee and provided input from staff and the Bicycle and Pedestrian Commission regarding bike/ped issues in new development petitions.

203 – Alternative Transportation and Greenways System Plan

Objective:

To coordinate with City staff in implementing the Greenways Plan. To carry out the goals, objectives, and recommendations of the plan through annual updates and regular maintenance of identified priorities and new opportunities within the City. Coordinate with Monroe County, Indiana University, and Bloomington Transit on proposed projects for implementation of human service transportation needs. Conduct regular public input sessions when updating the plan.

Responsible Staff:

MPO Administrative Staff Department, Monroe County Planning Department and consultant.

203.01 – Annual Updates and Evaluation of Greenways Strategic Plan

Description:

Updating the plan will allow City staff to keep the plan current with new opportunities that arise and changing priorities as the Parks and Recreation Department and Planning Department identify future goals in their planning processes. The update process will also allow for the public to be involved in the plan as well as projects that are chosen for construction. The Strategic Plan will be evaluated based on the annual construction of the individual projects. Another tool for evaluating success of the Plan will be to measure the increase in bike/ped trips, requiring bike/pedestrian counters to be purchased.

End Product(s):

- Monthly coordination meetings
- Update to the Strategic Plan and maps

203.02 – Bike Rack/Signage Inventory

Description:

A bike rack/signage inventory of the City, including the Indiana University Campus, will be completed under this element to help identify where needs exist to install new/additional bike racks and signage based on land-uses, destinations, densities, and bike routes throughout town.

End Product(s):

- Bike Rack and Signage Inventory
- Need identification for placement of racks/signage

203.03 – Bicycle/Pedestrian Connector Study

Description:

There are many opportunities to connect neighborhoods with destinations such as parks, schools, and commercial facilities. Under this sub-element, a study of where connecting paths may be beneficial and their feasibility for construction will be conducted

End Product(s):

- Inventory of connectors
- Feasibility assessments

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$21,040.00	\$5,260.75			\$26,300.00

FY 2005 Activity:

The Alternative Transportation and Greenways System Plan was completed and approved by Plan Commission and City Council. Its Strategic Plan outlines projects for the next 3 years, several of which were constructed by the Public Works and the Parks Department.

TECHNICAL PROGRAM

#301 Vehicular Data Collection

Objective:

To develop and maintain a systematic, comprehensive, and cost effective traffic counting program that provides the needed information to upkeep the travel demand forecast model, to satisfy the Highway Performance Monitoring System (HPMS), and to meet additional traffic volume data needs. To develop and maintain a systematic, comprehensive, and cost effective controlled intersection turning movement count program that will ensure that traffic control measures are located properly.

Responsible Staff:

MPO Administrative Staff, Public Works Department, Town of Ellettsville

301.01 – Traffic Volume Counting

Description:

The MPO staff, in conjunction with City Engineering, will conduct volume counts in the MPO study area, as well as coordinate the area's traffic counting program. This work element will include the purchase of traffic counting equipment and supplies, data collection for the HPMS, special counts at the request of the local governmental agencies, and an update to the Traffic Count Program to reflect any additional data needs for the expanded study area.

The HPMS is the backbone of the FHWA annual Highway Statistics publication. The MPO participates in collection of data at the requested locations based upon the HPMS manual. All information collected for these locations is forwarded to the INDOT Roadway Management Division and incorporated into the MPO Traffic Volume Report.

In addition to the above-mentioned counts, provisions need to be made to allow for special counts to be conducted upon the request of local entities to help in the decision-making process. Specifically, information may be needed to conduct traffic control warrant studies, traffic calming requests, development petition reviews, and corridor studies.

The traffic counting manual for the Bloomington MPO should also be updated annually. This manual specifies locations, quantities, and types of counts that need to be conducted to produce reliable estimates on Vehicle Miles of Travel (VMT) and the calibration of the TDF model. This manual will also be of use in allocating staff time and departmental budgets to ensure that the program can be fulfilled. The purchase of new equipment will be based upon the needs identified in the update of the traffic counting program manual. Anticipated purchases include the purchase of additional counters for the City and upgrades to INDOT's permanent count stations. Other anticipated expenditures include miscellaneous equipment such as replacement tubing, batteries, nails, and padlocks.

End Product(s):

- Purchase of Traffic Counting Equipment
- Coverage Counts
- Roadway Level-of-Service Report
- Updated Traffic Counting Manual

NOTE: The Small Urban and Rural Program Traffic Counts (completed with INDOT grant funding) will be conducted during the fiscal year.

301.02 – Turning Movement Counts

Description:

The MPO staff, in conjunction with the City Public Works Department (including all of its divisions), will conduct turning movement counts in the MPO study area. This work element will include the development of a count location schedule, purchase of a count board, special counts and the manual collection of programmed counts. It is anticipated that counts will be performed at all signalized intersections, and if staff time is available, all non-signalized intersections of arterial classified roadways with other functionally classified street and roads.

The count location schedule will be a tool to help allocate staff time and to estimate budget requests to conduct this program. Counts will most likely be conducted on a three year cycle with locations grouped together to allow for logical signal timing coordination to occur.

It can be anticipated that the count locations identified in the program schedule will not cover all circumstances that may arise. Therefore, provisions should be made to conduct counts on an as needed basis. Examples of situations that may arise would be for stop sign requests through the Traffic Commission or Traffic Impact Study needs.

The count locations that are identified in the schedule will be conducted during the AM and PM peaks. These counts will be forwarded to the appropriate jurisdiction to assist in the timing of studied intersections. The counts will also be compiled in an annual report that will be available for review and use by the public and operation entities within Monroe County.

End Product(s):

- Turning movement counts
- Turning movement count location schedule
- MPO turning movement report

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$32,600.00	\$8,150.00			\$40,750.00

FY 2005 Activity:

Traffic volume counts have been conducted at HPMS sites, at coverage counts sites, and at sites to calibrate the TDF model. Turning movement counts were conducted.

302 – Public Transportation Data Collection

Objective:

To develop and maintain a systematic, comprehensive, and cost effective method of gaining boardings and deboarding numbers and locations for the three public transportation systems operating within Monroe County.

Responsible Staff:

MPO Administrative Staff, Bloomington Transit

302.01 – Transit Ridership

Description:

This work element will include the preparation of a ridership survey to collect operating data required to allow for estimates of annual unlinked passenger trips and annual passenger miles. Procedures of the survey will follow guidelines as established in UMTA Circular 2710.1A, which describes the methodology to estimate annual unlinked passenger trips and annual passenger miles based on data from a sample of randomly selected bus trips. In summary, the method consists of counting boarding and alighting passengers and measuring distances between stops on randomly selected bus trips each week, throughout the fiscal year.

End Product:

- Annual unlinked passenger trip estimates for Bloomington Transit fixed route service.
- Annual unlinked passenger trip estimates for Indiana University fixed route service.
- Annual passenger miles estimates for Bloomington Transit
- Annual passenger miles estimates for Indiana University

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$2,000.00	\$500.00			\$2,500.00

FY 2005 Activity:

Bloomington Transit collected ridership data for its fixed route service.

303 - Pedestrian and Bicycle Data Collection

Objective:

This work element will continue prioritizing sidewalk projects based on the methodology that was completed in FY 2003. Staff will coordinate efforts with other departments to keep the database and the Sidewalk Inventory Map updated. Work will also be done to include a condition and assessment database and map layer to the inventory.

Responsible Staff:

MPO Administrative Staff

303.01 – Sidewalk Inventory

Description:

A GIS sidewalk inventory has been completed to update the database of missing sidewalk segments. The inventory will need to be maintained and updated on a regular basis, and the prioritization list will evolve as projects are completed. The Public Works Department will create a condition and assessment layer.

End Product(s):

- Maintain and Update the Sidewalk Inventory
- Manage the Sidewalk Project Prioritization List
- Condition and Assessment Inventory

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$4,000.00	\$1,000.00			\$5,000.00

FY 2005 Activity:

In FY 2003 the Planning Department completed the sidewalk inventory update and, in conjunction with the Bike/Pedestrian Commission, developed a methodology for determining which roadways have the greatest need for sidewalks. Staff updated the sidewalk inventory and assisted the Sidewalk Committee in selecting which sidewalk projects to fund.

304 – Infrastructure Management

Objective:

The Public Works Department and the Monroe County Engineering Department will perform work necessary to develop and maintain a comprehensive pavement management study to meet the requirements of GASB 34. The current pavement management study will be updated, and a detailed Infrastructure Management Plan completed.

Responsible Staff:

MPO Administrative Staff, Public Works Department (including all of its divisions), Monroe County, Town of Ellettsville

304.01 – Infrastructure Management Plan

Description:

This element would update and expand the scope of the pavement management study completed in 1995. A consultant would be hired to update the inventory and perform an assessment of the conditions for each road/street and sidewalk segment in the urbanized area. The MPO would use this information to develop a detailed Infrastructure Management Plan that would allow for the maintenance of the infrastructure above a minimum condition level. The work performed for this element would include data entry, both up-front and then on a continuing basis. It would also include incorporating the data collected into the GIS system.

End Product(s):

- Infrastructure Management Plan

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
\$50,000.00	\$12,500.00			\$62,500.00

FY 2005 Activity:

The process was continued during FY 2005 to develop the infrastructure management plan.

LONG-RANGE TRANSPORTATION PLANNING PROGRAM

401 – Transportation Plan

Objective:

To maintain and update the multi-modal long-range transportation plan, including maintenance of the travel demand forecast model, bicycle stress level analysis, and pedestrian stress level analysis. Develop a transit network within the travel demand forecast model. Throughout the maintenance phase of the Long Range Transportation Plan, the Bloomington MPO staff will work closely with INDOT Planning staff to ensure the continuity of the State's Long Range Plan.

In 1996 the MPO prepared a bicycle and pedestrian plan that used stress level analysis to quantify bicycle needs within the community. As part of the Bloomington/Monroe County Year 2025 Transportation Plan approved in FY 2001, stress level analysis will be the primary tool in preparing the bicycle element. The upkeep of this analysis will be conducted under this work element.

Responsible Staff:

MPO Administrative Staff, Bloomington Transit, Independent Consultant

401.01 – Socioeconomic Data Upkeep

Description:

Building permit information, population estimates, and employment numbers will be gathered and entered into the socioeconomic database for the traffic analysis zones. A model will be maintained that includes approved but not built land uses to illustrate the capacity of the roadway system.

End Product(s):

- Upkeep of the base year socioeconomic database
- Preparation of the approved but not built land use database

401.02 – TRANSCAD Training/Maintenance

Description:

MPO staff has started using the new TRANSCAD modeling software this past year. Staff modeling training has also occurred, which will facilitate continued maintenance of the Travel Demand Model.

End Product(s):

- TRANSCAD training classes and some sample case studies.

401.03 – Long Range Plan Update

MPO staff and consultant will continue the process of updating the Bloomington/Monroe County Long Range Transportation Plan. The process will include update of TAZs, review of social economic data and retooling the area transportation model.

Total Cost:

FHWA Funds	FHWA Match	FTA funds	FTA Match	Total
\$40,000.00	\$10,000.00			\$50,000

FY 2005 Activity:

The update of the Long Range Transportation Plan was started during FY 2005. This Plan update will be completed during FY 2006.

403 – Transit Route Analysis

Objective:

To enhance the access of human service transportation. The Bloomington Transit Fixed Route Operational Analysis Study will be a detailed review of the Bloomington Transit route structure examining each individual route and the route structure as a whole in terms of productivity, performance, and service effectiveness.

Responsible Staff:

The Bloomington Transit staff in cooperation with a transit consultant and the MPO staff.

403.01 – Fixed Route Operational Analysis

Description:

As the Bloomington Area continues to grow and change, Bloomington Transit has adapted its routes and schedules to serve the community. This study will assess strengths and weaknesses of each individual route and the system as a whole and make short and long term recommendations for improvements.

End Product(s):

- On/off passenger counts for each route by stop
- Evaluation of individual transit routes and the route structure
- Recommendations for short and long term improvements of service

Total Cost:

FHWA Funds	FHWA Match	FTA Funds	FTA Match	Total
		\$36,000	\$9,000.00	\$45,000.00

FY 2005 Activity:

The Bloomington Transit Transfer Facility Study was started in FY 2005.

FHWA Allocation Letter from INDOT

Urbanized Area	Urban Area 2000 Census	Population Ratio	2005 Alloc FY 2005 OWP Estimated	Funds Distribution	Population + Sustaining	ESTIMATED 04 Carryover	05 UN PRGMD	Available to Program	FY06 (PO) PRGMD	FY06 UN PRGMD
Anderson	97038	0.028448699	\$ 2,750,000	78,234	\$ 128,234	\$ 71,936	\$ 45,647	\$ 245,817		\$ 245,817
Bloomington	92456	0.027105391	\$ 2,750,000	74,540	\$ 124,540	\$ 57,227	\$ 33,582	\$ 215,349		\$ 215,349
Columbus	50227	0.014725085	\$ 2,750,000	40,494	\$ 90,494	\$ -	\$ 47,395	\$ 137,889		\$ 137,889
Cincinnati	4595	0.001347119	\$ 2,750,000	3,705	\$ 3,705	\$ -	\$ 4,470	\$ 8,175		\$ 8,175
Evansville	185396	0.054352676	\$ 2,750,000	149,470	\$ 199,470	\$ 13	\$ 49,705	\$ 249,188		\$ 249,188
Fort Wayne	287759	0.084362509	\$ 2,750,000	231,997	\$ 281,997	\$ 27,815	\$ 82,651	\$ 392,463		\$ 392,463
Kokomo	63739	0.018686408	\$ 2,750,000	51,388	\$ 101,388	\$ 55,431	\$ 120,513	\$ 277,331		\$ 277,331
Lafayette	125738	0.036862698	\$ 2,750,000	101,372	\$ 151,372	\$ 64,501	\$ 273,243	\$ 489,117		\$ 489,117
Louisville	122947	0.036044459	\$ 2,750,000	99,122	\$ 149,122	\$ -	\$ 32,961	\$ 182,083		\$ 182,083
Muncie	90673	0.026582667	\$ 2,750,000	73,102	\$ 123,102	\$ 79,767	\$ 24,313	\$ 227,182		\$ 227,182
Northwest	618956	0.181459767	\$ 2,750,000	499,014	\$ 549,014	\$ 23,446	\$ 165,942	\$ 738,402		\$ 738,402
South Bend**	373163	0.10940046	\$ 2,750,000	300,851	\$ 350,851	\$ 75,878	\$ 138,859	\$ 565,588		\$ 565,588
Terre Haute	79376	0.023270718	\$ 2,750,000	63,994	\$ 113,994	\$ -	\$ 21,280	\$ 135,274		\$ 135,274
Indianapolis*	1218919	0.357351343	\$ 2,750,000	982,716	\$ 1,032,716	\$ 533,139	\$ 1,010,429	\$ 2,576,284		\$ 2,576,284
	3410982	1		\$ 2,750,000	\$ 3,400,000		\$ 2,050,990	\$ 5,450,990	\$ -	
FY 2006 Federal allocation available for FY 2006 Programming							\$ 3,400,000	\$ 5,450,990	estimated as of 1/27/05	
Less sustaining amount							\$ 650,000			
Available by Population formula							\$ 2,750,000			
*Indianapolis on Calendar year.										
**South Bend's Available for Programming amount includes \$8,300 for MPO training										

FTA Allocation Letter from INDOT

INDOT SECTION 5303 FORMULA FOR FEDERAL FISCAL YEAR 2005 (State Fiscal Year 2006)

January 21, 2005

(Using FTA Administrative Allocations as Base)

FFY 2004 Total Apportionment for MPOs	\$913,413
FFY 91 Actual Total Allocation to MPOs	\$492,572
New Start MPO Funding (Michigan City and Columbus)	\$25,000
Increase available for distribution	\$395,841
Set-aside for UZA's w/1 Million + Population (15% of Increase)	\$59,376
Set-aside for TMA's (Large UZA's/MPO's) (65% of Increase)	\$257,297
Set-aside for Small UZA's/MPO's (20% of Increase)	\$79,168

URBANIZED AREA	FY 1991 Base Allocation from FTA	FY 1991 Actual Allocation from FTA	FY 2003 New Start MPO****	2000 UZA Population	1 million+ UZA Pop. Set-aside	% of Total Large UZA (TMA) Population	Large UZA (TMA) Set aside*	% of Total Small UZA Pop.	Small UZA/MPO Set-aside*	FY 2005 ** allocation from INDOT
Indianapolis***	\$174,300	\$140,000	\$0	1,218,919	\$29,688	44.46%	\$114,396	NA	NA	\$284,084
NW Ind.	\$159,697	\$110,000	\$0	553,380	\$29,688	20.18%	\$51,935	NA	NA	\$191,623
South Bend (inc. Elkhart/Goshen)	\$44,338	\$52,000	\$0	373,163	NA	13.61%	\$35,022	NA	NA	\$87,022
Fort Wayne	\$28,000	\$30,000	\$0	287,759	NA	10.50%	\$27,006	NA	NA	\$57,006
Evansville	\$19,031	\$27,000	\$0	185,396	NA	6.76%	\$17,399	NA	NA	\$44,399
Southern Indiana (Louisville)	\$18,162	\$18,162	\$0	122,947	NA	4.48%	\$11,539	NA	NA	\$29,701
Anderson	\$20,000	\$22,000	\$0	97,038	NA	NA	NA	14.60%	\$11,555	\$33,555
Bloomington	\$20,000	\$22,000	\$0	92,456	NA	NA	NA	13.91%	\$11,010	\$33,010
Columbus	\$0	\$0	\$12,500	50,227	NA	NA	NA	7.55%	\$5,981	\$18,481
Lafayette	\$20,000	\$15,280	\$0	125,738	NA	NA	NA	18.91%	\$14,973	\$30,253
Michigan City	\$0	\$0	\$12,500	65,576	NA	NA	NA	9.86%	\$7,809	\$20,309
Muncie	\$20,000	\$20,000	\$0	90,673	NA	NA	NA	13.64%	\$10,797	\$30,797
Terre Haute	\$20,000	\$23,630	\$0	79,376	NA	NA	NA	11.94%	\$9,452	\$33,082
Kokomo	\$20,000	\$12,500	\$0	63,739	NA	NA	NA	9.59%	\$7,590	\$20,090
TOTALS	\$563,528	\$492,572	\$25,000	3,406,387	\$59,376	100%	\$257,297	100%	\$79,168	\$913,413

* Individual set-aside amounts determined by multiplying set-aside by individual percentage of population.

** Allocation determined by adding the MPO's Actual FY 1991 Allocation to eligible set-aside categories (shown in red print).

*** Indianapolis receives funding on a calendar year basis.

**** New Start allocation based on least amount of actual FTA FY 1991 funding.

**Local Match Assurance For FY 2006 Section 5303 Technical Assistance Funds,
Transit Operator**

The City of Bloomington Public Transportation Corporation, hereinafter referred to as the "Transit Provider", HEREBY GIVES ITS ASSURANCES THAT the local matching requirement for its FY 2006 Section 5303 (FTA) Technical Assistance Grant shall be met. The MPO is requesting a Section 5303 Grant totaling \$47,808.00 (FTA share), requiring a \$9,561.60 local match. As specified in the FY 2005 Unified Planning Work Program (UPWP), the Transit Provider staff shall be responsible for \$36,00.00 (FTA share) of the total grant amount, requiring a \$9,000.00 local match.

Date

Bloomington Public Transportation Corporation
Legal Name of Applicant

By: _____
Lew May, General Manager of Bloomington Transit

Local Match Assurance for FY 2006 Federal Highway Administration (FHWA) Planning Funds (PL) and Federal Transit Administration (FTA) Section 5303 Planning Funds

The City of Bloomington hereinafter referred to as the “City”, HEREBY GIVES ITS ASSURANCES THAT, the local matching requirements for its FY 2006 FHWA and FTA grants shall be met. The MPO is requesting FHWA and FTA Planning grants funds totaling \$209,992.00 requiring \$52,498.00 local match. As specified in the FY 2006 Unified Planning Work Program (UPWP), the City shall be responsible for \$142,000.00 of the total grant, requiring a \$35,500.00 in local match.

Date

City of Bloomington
Legal Name of Applicant

By: _____
Susan Clark, Interim Controller

Local Match Assurance for FY 2006 Federal Highway Administration (FHWA) Planning Funds (PL) and Federal Transit Administration (FTA) Section 5303 Planning Funds

Monroe County, Indiana hereinafter referred to as the “County”, HEREBY GIVES ITS ASSURANCE THAT, the local matching requirements for its FY 2006 FHWA and FTA grants shall be met. The MPO is requesting FHWA and FTA Planning grants totaling \$209,992.00 requiring \$52,498.00 in local match. As specified in the FY 2006 Unified Planning Work Program (UPWP), the County shall be responsible for \$52,800.00 of the total grant, requiring \$13,200.00 in local match.

Date

Monroe County, Indiana
Legal Name of Applicant

By: _____
Joyce Poling, County Commissioner, President

Local Match Assurance for FY 2006 Federal Highway Administration (FHWA) Planning Funds (PL) and Federal Transit Administration (FTA) Section 5303 Planning Funds

Town of Ellettsville, Indiana hereinafter referred to as the “Ellettsville”, HEREBY GIVES ITS ASSURANCE THAT, the local matching requirements for its FY 2006 FHWA and FTA grants shall be met. The MPO is requesting FHWA and FTA Planning grants and local STP funds totaling \$209,992.00 requiring \$52,498.00 in local match. As specified in the FY 2006 Unified Planning Work Program (UPWP), Ellettsville shall be responsible for \$25,000.00 of the total grant, requiring \$6,250.00 in local match.

Date

Town of Ellettsville
Legal Name of Applicant

By: _____
Patrick Stoffers, Town of Ellettsville, Board President

Abbreviations

3C	Continuing, Comprehensive, and Cooperative Planning Process
ADA	American Disabilities Act
CAC	Citizens Advisory Committee
CMS	Congestion Management System
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FY	Fiscal Year (July 1 through June 30)
HPMS	Highway Performance Monitoring System
INDOT	Indiana Department of Transportation
INSTIP	Indiana State Transportation Improvement Program
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IU	Indiana University
IUSA	Indiana University Student Association
MCCSC	Monroe County Community School Corporation
MPO	Metropolitan Planning Organization
MTP	Master Thoroughfare Plan
PL	Planning
TAC	Technical Advisory Committee
TDF	Travel Demand Forecast
TEA-21	Transportation Efficiency Act for the 21 st Century
TIP	Transportation Improvement Program
TIS	Traffic Impact Study
TRB	Transportation Research Board
UMTA	Urban Mass Transit Administration
UPWP	Unified Planning Work Program



Federal Register

Tuesday,
October 26, 2004

Part II

Department of Transportation

Federal Transit Administration

**Fiscal Year 2005 Annual List of
Certifications and Assurances for Federal
Transit Administration Grants and
Cooperative Agreements; Notice**

DEPARTMENT OF TRANSPORTATION**Federal Transit Administration****Fiscal Year 2005 Annual List of Certifications and Assurances for Federal Transit Administration Grants and Cooperative Agreements**

AGENCY: Federal Transit Administration, DOT.

ACTION: Notice.

SUMMARY: Appendix A of this Notice contains the Federal Transit Administration's (FTA) comprehensive compilation of the Federal Fiscal Year 2005 certifications and assurances to be used in connection with all Federal assistance programs FTA administers during Federal Fiscal Year 2005, in compliance with 49 U.S.C. 5323(n).

EFFECTIVE DATE: These certifications and assurances became effective on October 1, 2004, the first day of fiscal year 2005.

FOR FURTHER INFORMATION CONTACT: FTA staff in the appropriate Regional Office listed below. For copies of other related documents, see the FTA Web site at <http://www.fta.dot.gov> or contact FTA's Office of Administration at (202) 366-4022.

Region 1: Boston

States served: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. Telephone # 617-494-2055.

Region 2: New York

States served: New Jersey, New York, and the Virgin Islands. Telephone # 212-668-2170.

Region 3: Philadelphia

States served: Delaware, Maryland, Pennsylvania, Virginia, West Virginia, and District of Columbia. Telephone # 215-656-7100.

Region 4: Atlanta

States served: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Puerto Rico, South Carolina, and Tennessee. Telephone # 404-562-3500.

Region 5: Chicago

States served: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin. Telephone # 312-353-2789.

Region 6: Dallas/Ft. Worth

States served: Arkansas, Louisiana, Oklahoma, New Mexico and Texas. Telephone # 817-978-0550.

Region 7: Kansas City

States served: Iowa, Kansas, Missouri, and Nebraska. Telephone # 816-329-3920.

Region 8: Denver

States served: Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming. Telephone # 720-963-3300.

Region 9: San Francisco

States served: American Samoa, Arizona, California, Guam, Hawaii, Nevada, and the Northern Mariana Islands. Telephone # 415-744-3133.

Region 10: Seattle

States served: Alaska, Idaho, Oregon, and Washington. Telephone # 206-220-7954.

SUPPLEMENTARY INFORMATION: Before FTA may award Federal financial assistance through a Federal grant or cooperative agreement, the Applicant must submit all certifications and assurances pertaining to itself and its project as required by Federal laws and regulations. These certifications and assurances must be submitted to FTA irrespective of whether the project is financed under the authority of 49 U.S.C. chapter 53, or Title 23, United States Code, or another Federal statute.

The Applicant's Annual Certifications and Assurances for Federal Fiscal Year 2005 cover all projects for which the Applicant seeks funding during Federal Fiscal Year 2005 through the next fiscal year until FTA issues annual Certifications and Assurances for Federal Fiscal Year 2006. An Applicant's Annual Certifications and Assurances applicable to a specific grant or cooperative agreement generally remain in effect for either the duration of the grant or cooperative agreement to project closeout or the duration of the project or project property when a useful life or industry standard is in effect, whichever occurs later; *except*, if the Applicant provides certifications and assurances in a later year that differ from certifications and assurances previously provided, the later certifications and assurances will apply to the grant, cooperative agreement, project, or project property, unless FTA permits otherwise.

Background: Since Federal Fiscal Year 1995, FTA has been consolidating the various certifications and assurances that may be required of its Applicants and the projects into a single document for publication in the **Federal Register**. FTA intends to continue publishing this document annually, often in conjunction with its publication of the FTA annual apportionment Notice,

which sets forth the allocations of funds made available by the latest U.S. Department of Transportation (U.S. DOT) annual appropriations act.

Federal Fiscal Year 2005 Changes:

Apart from minor editorial revisions, changes include the following:

(1) Added a new introductory paragraph explaining that:

(a) Not all certifications and assurances apply to all Applicants.

(b) The certifications and assurances are pre-award requirements and do not encompass all Federal requirements that may apply to the Applicant and its project.

(c) A comprehensive list of Federal requirements is contained in FTA Master Agreement for fiscal year 2005 at http://www.fta.dot.gov/16000_16002_ENG.HTML.htm.

(2) Certification 13A(1)(j) has been revised to explain that in the case of an Applicant serving an urbanized area with a population of 200,000 or more, only capital security projects may be funded with the 1% of the urbanized area formula funds set aside by 49 U.S.C. 5307(d)(1)(j)(i) for transit security projects.

(3) The Affirmation of the Applicant portion of the Signature Page has been edited to clarify that the criminal fraud provisions of 18 U.S.C. 1001 apply to all certifications, assurances, agreements, and other submissions to FTA.

Text of Federal Fiscal Year 2005 Certifications and Assurances: The text of the certifications and assurances in Appendix A of this Notice also appears in TEAM-Web (<http://ftateamweb.fta.dot.gov/>) in the "Recipients" option at "View/Modify Recipients," at the "Cert's & Assurances" tab. The certification and assurances also appear on the FTA public Web site at http://www.fta.dot.gov/grant_programs/applying_for_managing_grants/3946_ENG_HTML.htm. It is important that each Applicant be familiar with all sixteen (16) certification and assurance categories and their requirements, as they may be a prerequisite for receiving FTA financial assistance. Provisions of this notice supersede conflicting statements in any FTA circular containing a previous version of the Annual Certifications and Assurances. The certifications and assurances contained in those FTA circulars are merely examples, and are not acceptable or valid for Federal Fiscal Year 2005; do not rely on the provisions of certifications and assurances appearing in FTA circulars.

Significance of Certifications and Assurances: Selecting and submitting certifications and assurances to FTA,

either through TEAM-Web or submission of the Signature Page(s) of Appendix A, signifies the Applicant's intent to comply with the requirements of the certifications and assurances it has selected to the extent they apply to a project for which the Applicant submits an application for assistance in Federal Fiscal Year 2005.

Requirement for Attorney's Signature: FTA requires a current (Federal Fiscal Year 2005) affirmation, signed by the Applicant's attorney, of the Applicant's legal authority to certify compliance with the obligations imposed by the certifications and assurances the Applicant has selected. Irrespective of whether the Applicant makes a single selection for all 16 categories or selects individual options from the 16 categories, the Affirmation of Applicant's Attorney from a previous year is not acceptable.

Deadline for Submission: All Applicants for FTA formula program or capital investment program assistance, and current FTA grantees with an active project financed with FTA formula program or capital investment program assistance, are expected to provide Federal Fiscal Year 2005 Certifications and Assurances within 90 days from the date of this publication or with their first grant application in Federal Fiscal Year 2005, whichever is first. FTA encourages other Applicants to submit their certifications and assurances as soon as possible.

Preference for Electronic Submission: Applicants registered in TEAM-Web must submit their certifications and assurances, as well as their applications, in TEAM-Web. Only if an Applicant is unable to submit its certifications and assurances in TEAM-Web should the Applicant use the Signature Page(s) in Appendix A of this notice.

Procedures for Electronic Submission: The TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of "View/Modify Recipients" contains fields for selecting the categories of certifications and assurances to be submitted. Within that tab is a field for the Applicant's authorized representative to enter his or her personal identification number (PIN), which constitutes the Applicant's electronic signature for the certifications and assurances the Applicant has selected; in addition, there is a field for the Applicant's attorney to enter his or her PIN, affirming the Applicant's legal authority to make and comply with the certifications and assurances the Applicant has selected. In certain circumstances, the Applicant may enter its PIN in lieu of its Attorney's PIN, provided that the Applicant has on file the Affirmation of Applicant's Attorney

in Appendix A of this notice, written and signed by the attorney and dated this Federal fiscal year. For more information, Applicants may contact the appropriate Regional Office listed in this notice or the TEAM-Web Helpdesk.

Procedures for Paper Submission: If an Applicant is unable to submit its certifications and assurances electronically, it must mark the certifications and assurances it is making on the Signature Page(s) in Appendix A of this notice and submit it to FTA. The Applicant may signify compliance with all Categories by placing a single mark in the appropriate space or select the Categories applicable to itself and its projects. In certain circumstances, the Applicant may enter its signature in lieu of its Attorney's signature in the Affirmation of Applicant's Attorney section of the Signature Page(s), provided that the Applicant has on file the Affirmation of Applicant's Attorney in Appendix A of this notice, written and signed by the attorney and dated this Federal fiscal year. For more information, Applicants may contact the appropriate Regional Office listed in this notice.

References. The Transportation Equity Act for the 21st Century, Pub. L. 105-178, June 9, 1998, as amended by the TEA-21 Restoration Act, Pub. L. 105-206, July 22, 1998, 49 U.S.C. chapter 53, Title 23, United States Code, other Federal laws administered by FTA, U.S. DOT and FTA regulations at 49 CFR, and FTA Circulars.

Issued on: October 19, 2004.

Jennifer L. Dorn,
Administrator.

Appendix A

Federal Fiscal Year 2005 Certifications and Assurances for Federal Transit Administration Assistance Programs

In accordance with 49 U.S.C. 5323(n), the following certifications and assurances have been compiled for Federal Transit Administration (FTA) assistance programs. FTA requests each Applicant to provide as many certifications and assurances as needed for all programs for which the Applicant intends to seek FTA assistance during Federal Fiscal Year 2005. FTA strongly encourages each Applicant to submit its certifications and assurances through TEAM-Web, FTA's electronic management system, at <http://ftateamweb.fta.dot.gov>.

Sixteen (16) Categories of certifications and assurances are listed by numbers 01 through 16 in the TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of "View/Modify Recipients," and on the opposite side of the Signature Page(s) at the end of this document. Category 01 applies to all Applicants. Category 02 applies to all applications exceeding \$100,000. Categories (3) through 16 will apply to and be required for some, but not all, Applicants and projects.

FTA and the Applicant understand and agree that not every provision of these certifications and assurances will apply to every Applicant or every Project for which FTA provides Federal financial assistance through a grant agreement or cooperative agreement. The type of Project and the section of the statute authorizing Federal financial assistance for the Project will determine which requirements apply. The Applicant also understands and agrees that these certifications and assurances are pre-award requirements and do not encompass all statutory and regulatory requirements that may apply to the Applicant or its Project. A comprehensive list of those requirements is contained in the current Master Agreement MA(11) for Federal Fiscal Year 2005 at http://www.fta.dot.gov/16000_16002_ENG_HTML.htm.

1. Required of Each Applicant

Each Applicant for FTA assistance must provide all certifications and assurances in this Category "01." FTA may not award any Federal assistance until the Applicant provides these certifications and assurances by selecting Category "01."

A. Authority of Applicant and Its Representative

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable state and local law and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

B. Standard Assurances

The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws, regulations, policies, and administrative practices may be modified from time to time and those modifications may affect project implementation. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise.

C. Intergovernmental Review Assurance

The Applicant assures that each application for Federal assistance it submits to FTA has been or will be submitted, as required by each state, for intergovernmental review to the appropriate state and local agencies. Specifically, the Applicant assures that it has fulfilled or will fulfill the

obligations imposed on FTA by U.S. DOT regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17.

D. Nondiscrimination Assurance

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, "Title VI Program Guidelines for Federal Transit Administration Recipients," and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA.

Specifically, during the period in which Federal assistance is extended to the project, or project property is used for a purpose for which the Federal assistance is extended, or for another purpose involving the provision of similar services or benefits, or as long as the Applicant retains ownership or possession of the project property, whichever is longer, the Applicant assures that:

(1) Each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.

(2) It will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.

(3) It will include in each subagreement, property transfer agreement, third party contract, third party subcontract, or participation agreement adequate provisions to extend the requirements of 49 U.S.C. 5332 and 49 CFR part 21 to other parties involved therein including any subrecipient, transferee, third party contractor, third party subcontractor at any level, successor in interest, or any other participant in the project.

(4) Should it transfer real property, structures, or improvements financed with Federal assistance provided by FTA to another party, any deeds and instruments recording the transfer of that property shall contain a covenant running with the land

assuring nondiscrimination for the period during which the property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits.

(5) The United States has a right to seek judicial enforcement with regard to any matter arising under the Act, regulations, and this assurance.

(6) It will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.

E. Assurance of Nondiscrimination on the Basis of Disability

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*, and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*, and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

F. Procurement Compliance Certification

The Applicant certifies that its procurements and procurement system will comply with all applicable third party procurement requirements of Federal laws, executive orders, regulations, FTA directives, and requirements, as amended and revised, and other requirements FTA may issue including FTA Circular 4220.1E, "Third Party Contracting Requirements," and any revisions thereto, to the extent those requirements are applicable. The Applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that each subrecipient and each contractor will also include in its subagreements and its contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

G. Certifications and Assurances Required by the U.S. Office of Management and Budget (OMB) (SF-424B and SF-424D) As required by OMB, the Applicant certifies that it:

(1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability

(including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in its application;

(2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;

(3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;

(4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;

(5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:

(a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;

(b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;

(c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap;

(d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;

(e) The Drug Abuse Office and Treatment Act of 1972, Pub. L. 92-255, March 21, 1972, and amendments thereto, 21 U.S.C. 1174 *et seq.* relating to nondiscrimination on the basis of drug abuse;

(f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, Dec. 31, 1970, and amendments thereto, 42 U.S.C. 4581 *et seq.* relating to nondiscrimination on the basis of alcohol abuse or alcoholism;

(g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 290dd-3 and 290ee-3, related to confidentiality of alcohol and drug abuse patient records;

(h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*, relating to nondiscrimination in the sale, rental, or financing of housing;

(i) Any other nondiscrimination provisions in the specific statutes under which Federal assistance for the project may be provided including, but not limited to, 49 U.S.C. 5332, which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity, and section 1101(b) of the Transportation Equity Act for the 21st Century, 23 U.S.C. 101 note, which provides for participation of disadvantaged business enterprises in FTA programs; and

(j) Any other nondiscrimination statute(s) that may apply to the project;

(6) Will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 *et seq.*, which, among other things, provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in any purchase. As required by sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable state and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 *et seq.*, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with or has complied with that Act and those U.S. DOT implementing regulations, including but not limited to the following:

(a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;

(b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;

(c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24 and FTA procedures;

(d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);

(e) The Applicant will carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;

(f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;

(g) The Applicant will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;

(h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and

(i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;

(7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 3141 *et seq.*, the Copeland "Anti-Kickback" Act, as amended, 18 U.S.C. 874, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*, regarding labor standards for federally assisted subagreements;

(8) To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring Applicants and subrecipients in a special flood hazard area to participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;

(9) Will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures;

(10) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from the awarding agency;

(11) To the extent required by FTA, will record the Federal interest in the title of real property and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;

(12) Will comply with FTA requirements concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;

(13) Will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the state;

(14) Will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:

(a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321-4335 and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;

(b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;

(c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;

(d) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988, 42 U.S.C. 4321 note;

(e) Assurance of project consistency with the approved state management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451-1465;

(f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401-7671q;

(g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f-300j-6;

(h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531-1544; and

(i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, state, or local significance to be used in a transportation project as required by 49 U.S.C. 303(b) and (c);

(j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271-1287; and

(k) Provision of assistance to FTA in complying with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469a-469c; and Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;

(15) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501-1508, and 7324-7326, which limit the political activities of state and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement except, in accordance with 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a transit system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;

(16) Will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 *et seq.*, and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;

(17) Will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131 *et seq.*, and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;

(18) Will have performed the financial and compliance audits as required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501 *et seq.*, OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and the most recent applicable OMB A-133 Compliance Supplement provisions for the Department of Transportation; and

(19) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the project.

2. Lobbying

An Applicant that submits or intends to submit an application for Federal assistance exceeding \$100,000 must provide the following certification. FTA may not award Federal assistance exceeding \$100,000 until the Applicant provides this certification by selecting Category "02."

A. As required by U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application for Federal assistance exceeding \$100,000:

(1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and

(2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.

(3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements).

B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any

person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

3. Private Mass Transportation Companies

A state or local government Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire the property or an interest in the property of a private mass transportation company or to operate mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "03."

As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that before it acquires the property or an interest in the property of a private mass transportation company or operates mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company, it has or will have:

A. Found that the assistance is essential to carrying out a program of projects as determined by the plans and programs of the metropolitan planning organization;

B. Provided for the participation of private mass transportation companies to the maximum extent feasible consistent with applicable FTA requirements and policies;

C. Paid just compensation under state or local law to a private mass transportation company for its franchises or property acquired; and

D. Acknowledged that the assistance falls within the labor standards compliance requirements of 49 U.S.C. 5333(a) and 5333(b).

4. Public Hearing

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 for a capital project that will substantially affect a community or a community's mass transportation service must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "04."

As required by 49 U.S.C. 5323(b), the Applicant certifies that it has, or before submitting its application, it will have:

A. Provided an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served;

B. Held that hearing and provided FTA a transcript or detailed report summarizing the issues and responses, unless no one with a significant economic, social, or environmental interest requests a hearing;

C. Considered the economic, social, and environmental effects of the proposed project; and

D. Determined that the proposed project is consistent with official plans for developing the urban area.

5. Acquisition of Rolling Stock

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire any rolling stock must provide the following certification. FTA may not award any Federal assistance to acquire such rolling stock until the Applicant provides this certification by selecting Category "05."

As required by 49 U.S.C. 5323(m) and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

6. Bus Testing

An Applicant for Federal assistance appropriated or made available for 49 U.S.C. chapter 53 to acquire any new bus model or any bus model with a new major change in configuration or components must provide the following certification. FTA may not provide assistance for the acquisition of new buses until the Applicant provides this certification by selecting Category "06."

As required by FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus (as described in 49 CFR part 665), the bus model:

A. Will have been tested at a bus testing facility approved by FTA; and

B. Will have received a copy of the test report prepared on the bus model.

7. Charter Service Agreement

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. to acquire or operate any mass transportation equipment or facilities must enter into the following Charter Service Agreement. FTA may not provide assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or by Title 23, U.S.C. for projects until the Applicant enters into this Charter Service Agreement by selecting Category "07."

A. As required by 49 U.S.C. 5323(d) and FTA regulations, "Charter Service," at 49 CFR 604.7, the Applicant agrees that it and each of its subrecipients and third party contractors at each tier will:

(1) Provide charter service that uses equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for transportation projects, only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its subrecipients or third party contractors desire to provide, unless one or more of the exceptions in 49 CFR 604.9 applies; and

(2) Comply with the requirements of 49 CFR part 604 before providing any charter service using equipment or facilities acquired with Federal assistance authorized by 49

U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for transportation projects.

B. As The Applicant understands that:

(1) The requirements of 49 CFR part 604 will apply to any charter service it or its subrecipients or third party contractors provide,

(2) The definitions of 49 CFR part 604 will apply to this Charter Service Agreement, and

(3) A violation of this Charter Service Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

8. School Transportation Agreement

An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 or by Title 23, U.S.C. to acquire or operate transportation facilities and equipment must enter into the following School Transportation Agreement. FTA may not provide assistance for such projects until the Applicant enters into this agreement by selecting Category "08."

A. As required by 49 U.S.C. 5323(f) and implementing FTA regulations at 49 CFR 605.14, the Applicant agrees that it and each of its subrecipients and third party contractors at each tier will:

(1) Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by 49 U.S.C. 5323(f), and Federal regulations; and

(2) Comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. for transportation projects.

B. As The Applicant understands that:

(1) The requirements of 49 CFR part 605 will apply to any school transportation service it or its subrecipients or third party contractors provide,

(2) The definitions of 49 CFR part 605 will apply to this School Transportation Agreement, and

(3) A violation of this School Transportation Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

9. Demand Responsive Service

An Applicant that operates demand responsive service and applies for direct Federal assistance authorized for 49 U.S.C. chapter 53 to acquire non-rail mass transportation vehicles is required to provide the following certification. FTA may not award direct Federal assistance authorized for 49 U.S.C. chapter 53 to an Applicant that operates demand responsive service to acquire non-rail mass transportation vehicles until the Applicant provides this certification by selecting Category "09."

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77(d), the Applicant certifies that its demand responsive service offered to persons with disabilities, including persons who use wheelchairs, is equivalent to the level and

quality of service offered to persons without disabilities. When the Applicant's service is viewed in its entirety, the Applicant's service for persons with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) Response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

10. Alcohol Misuse and Prohibited Drug Use

If an Applicant is required by FTA regulations to provide the following certification concerning its activities to prevent alcohol misuse and prohibited drug use in its transit operations, FTA may not provide Federal assistance to that Applicant until it provides this certification by selecting Category "10."

As required by FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655.

11. Interest and Other Financing Costs

An Applicant that intends to request the use of Federal assistance for reimbursement of interest or other financing costs incurred for its capital projects must provide the following certification. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category "11."

In compliance with 49 U.S.C. 5307(g), 49 U.S.C. 5309(g)(2)(B), 49 U.S.C. 5309(g)(3)(A), and 49 U.S.C. 5309(n), the Applicant certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

12. Intelligent Transportation Systems

An Applicant for FTA assistance for an Intelligent Transportation Systems (ITS) project, defined as any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture," must provide the following assurance. FTA may not award any Federal assistance for an ITS project until the Applicant provides this assurance by selecting Category "12."

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the "National ITS Architecture."

A. In accordance with section 5206(e) of TEA-21, 23 U.S.C. 502 note, the Applicant assures it will comply with all applicable

requirements of Section V (Regional ITS Architecture) and Section VI (Project Implementation) of FTA Notice, "FTA National ITS Architecture Policy on Transit Projects," at 66 FR 1455 *et seq.*, January 8, 2001, and other FTA requirements that may be issued in connection with any ITS project financed with Highway Trust Funds (including funds from the Mass Transit Account) or funds made available for the Intelligent Transportation Systems Program authorized by TEA-21, title V, subtitle C, 23 U.S.C. 502 note.

B. With respect to any ITS project financed with Federal assistance derived from a source other than Highway Trust Funds (including funds from the Mass Transit Account) or TEA-21, title V, subtitle C, 23 U.S.C. 502 note, the Applicant assures that it will use its best efforts to ensure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region.

13. Urbanized Area, JARC, and Clean Fuels Programs

Each Applicant for Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307, each Applicant for Job Access and Reverse Commute Program assistance authorized by section 3037 of the Transportation Equity Act for the 21st Century, 49 U.S.C. 5309 note, and each Applicant for Clean Fuels Formula Program assistance authorized by 49 U.S.C. 5308 must provide the following certifications. FTA may not award Federal assistance for those programs until the Applicant provides these certifications and assurances by selecting Category "13." A state or other Applicant providing certifications and assurances that require the compliance of its prospective subrecipients is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances.

Each Applicant that received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1) must list the projects carried out during that Federal fiscal year with those funds in its quarterly report for the fourth quarter of the preceding Federal fiscal year. That list constitutes the report of transit enhancement projects carried out during that fiscal year, which report is required to be submitted as part of the Applicant's annual certifications and assurances, in accordance with 49 U.S.C. 5307(k)(3), and is therefore incorporated by reference and made part of the Applicant's annual certifications and assurances. FTA may not award Urbanized Area Formula Program assistance to any Applicant that has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), unless that Applicant's quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the requisite list.

A. Certifications Required for the Urbanized Area Formula Program

(1) As required by 49 U.S.C. 5307(d)(1)(A) through (J), the Applicant certifies and assures as follows:

(a) It has or will have the legal, financial, and technical capacity to carry out the proposed program of projects;

(b) It has or will have satisfactory continuing control over the use of Project equipment and facilities;

(c) It will adequately maintain the equipment and facilities;

(d) It will ensure that elderly and handicapped persons, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized for 49 U.S.C. 5307, or for the Job Access and Reverse Commute Program at section 3037 of the Transportation Equity Act for the 21st Century (TEA-21), 49 U.S.C. 5309 note, not more than fifty (50) percent of the peak hour fare;

(e) In carrying out a procurement financed with Federal assistance authorized for the Urbanized Area Formula Program, 49 U.S.C. 5307, or the Job Access and Reverse Commute Program, section 3037 of TEA-21, 49 U.S.C. 5309 note, it: (1) Will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications, and (3) will comply with applicable Buy America laws;

(f) It has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) Has made available, or will make available, to the public information on the amounts available for the Urbanized Area Formula Program, 49 U.S.C. 5307 and, if applicable, the Job Access and Reverse Commute Grant Program, 49 U.S.C. 5309 note, and the program of projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, a proposed program of projects for activities to be financed; (3) has published or will publish a proposed program of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects; (5) has ensured or will ensure that the proposed program of projects provides for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final program of projects; and (7) has made or will make the final program of projects available to the public;

(g) It has or will have available and will provide the amount of funds required by 49 U.S.C. 5307(e) and applicable FTA policy (specifying Federal and local shares of project costs);

(h) It will comply with: 49 U.S.C. 5301(a) (requirements for transportation systems that maximize mobility and minimize fuel consumption and air pollution); 49 U.S.C. 5301(d) (requirements for transportation of

the elderly and persons with disabilities); 49 U.S.C. 5303 through 5306 (planning requirements); and 49 U.S.C. 5301(d) (special efforts to design and provide mass transportation for the elderly and persons with disabilities);

(i) It has a locally developed process to solicit and consider public comment before raising fares or implementing a major reduction of transportation; and

(j) As required by 49 U.S.C. 5307, each fiscal year, the Applicant will spend at least one (1) percent of its funds authorized by 49 U.S.C. § 5307(d)(1)(f) for transit security projects (this includes only capital projects in the case of an Applicant serving an urbanized area with a population of 200,000 or more), unless the Applicant has certified to FTA that such expenditures are not necessary and FTA accepts that certification. Transit security projects include increased lighting in or adjacent to a transit system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned transit system.

(2) As required by 49 U.S.C. 5307(k)(3), if it has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), its quarterly report for the fourth quarter of the preceding Federal fiscal year includes a list of the projects it has implemented during that fiscal year using those funds, and that report is incorporated by reference and made part of its certifications and assurances.

B. Certification Required for Capital Leasing

As required by FTA regulations, "Capital Leases," at 49 CFR 639.15(b)(1) and 49 CFR 639.21, if the Applicant acquires any capital asset by lease financed with Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, the Applicant certifies as follows:

(1) It will not use Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset;

(2) It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and

(3) It will not enter into a capital lease for which FTA can provide only incremental Federal assistance unless it has adequate financial resources to meet its future obligations under the lease in the event Federal assistance is not available for capital projects in subsequent years.

C. Certification Required for the Sole Source Acquisition of an Associated Capital Maintenance Item

As required by 49 U.S.C. 5325(c), the Applicant certifies that when it procures an associated capital maintenance item as authorized by 49 U.S.C. 5307(b)(1), it will use competition, unless the original

manufacturer or supplier of the item is the only source for that item and the price of that item is no more than the price similar customers pay for that item, and that for each such procurement, it will maintain sufficient records on file and easily retrievable for inspection by FTA.

D. Clean Fuels Formula Grant Program Certification

As required by 49 U.S.C. 5308(c)(2), the Applicant certifies that vehicles financed with Federal assistance provided for the Clean Fuels Formula Program, 49 U.S.C. 5308, will be operated only with clean fuels.

14. Elderly and Persons With Disabilities Program

An Applicant that intends to administer the Elderly and Persons with Disabilities Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award assistance for the Elderly and Persons with Disabilities Program until the Applicant provides these certifications and assurances by selecting Category "14."

The Applicant administering, on behalf of the state, the Elderly and Persons with Disabilities Program authorized by 49 U.S.C. 5310 certifies and assures that the following requirements and conditions will be fulfilled:

A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5310; and to implement and manage the project.

B. The state assures that each subrecipient either is recognized under state law as a private nonprofit organization with the legal capability to contract with the state to carry out the proposed project, or is a public body that has met the statutory requirements to receive Federal assistance authorized for 49 U.S.C. 5310.

C. The private nonprofit subrecipient's application for 49 U.S.C. 5310 assistance contains information from which the state concludes that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities.

D. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.

E. The state assures that, before issuing the state's formal approval of a project, its Elderly and Persons with Disabilities Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; all projects to be implemented in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and any prospective subrecipient of capital assistance that is a

public body has provided an opportunity for a public hearing.

F. The state recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:

(1) The subrecipient has or will have by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;

(2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;

(3) The subrecipient has complied or will comply with all applicable civil rights requirements;

(4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;

(5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;

(6) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;

(7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;

(8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that may be applicable;

(9) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private mass transportation companies to the maximum extent feasible;

(10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;

(11) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;

(12) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;

(13) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;

(14) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements to the extent required by FTA; and

(15) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements.

G. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.

H. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.

I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the state and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by its subrecipients to assure compliance with applicable Federal requirements.

15. Nonurbanized Area Formula Program

An Applicant that intends to administer the Nonurbanized Area Formula Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances.

The Applicant administering, on behalf of the state, the Nonurbanized Area Formula Program authorized by 49 U.S.C. 5311 certifies and assures that the following requirements and conditions will be fulfilled:

A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5311; and to implement and manage the project.

B. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.

C. The state assures that before issuing the state's formal approval of the project, its

Nonurbanized Area Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; and projects are included in a metropolitan Transportation Improvement Program, to the extent applicable.

D. The state has provided for a fair and equitable distribution of Federal assistance authorized for 49 U.S.C. 5311 within the state, including Indian reservations within the state.

E. The state recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:

(1) The subrecipient has or will have, by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;

(2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;

(3) The subrecipient has complied or will comply with all applicable civil rights requirements;

(4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;

(5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;

(6) The subrecipient has complied or will comply with the transit employee protective provisions of 49 U.S.C. 5333(b), by one of the following actions: (a) Signing the Special Warranty for the Nonurbanized Area Formula Program, (b) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL), or (c) obtaining a waiver from DOL; and the state has certified the subrecipient's compliance to DOL;

(7) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;

(8) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;

(9) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;

(10) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements

in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that may be applicable;

(11) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private enterprise to the maximum extent feasible;

(12) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;

(13) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;

(14) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;

(15) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;

(16) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;

(17) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;

(18) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and

(19) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.

F. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.

G. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.

H. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the state and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project

activities carried out by its subrecipients to assure compliance with applicable Federal requirements.

I. In compliance with the requirements of 49 U.S.C. 5311(f), the state assures that it will expend not less than fifteen (15) percent of the amounts of Federal assistance as provided in 49 U.S.C. 5311(f) and apportioned during this Federal fiscal year to carry out a program within the state to develop and support intercity bus transportation, unless the chief executive officer of the state, or his or her designee, duly authorized under state law, regulations or procedures, certifies to the Federal Transit Administrator that the intercity bus service needs of the state are being adequately met.

16. State Infrastructure Bank Program

An Applicant for a grant of Federal assistance for deposit in its State Infrastructure Bank (SIB) must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances.

The state, serving as the Applicant for Federal assistance for its State Infrastructure Bank (SIB) Program authorized by either section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, certifies and assures that the following requirements and conditions concerning any transit Project financed with Federal assistance derived from its SIB have been or will be fulfilled:

A. The state organization, which is serving as the Applicant (state) for Federal assistance for its SIB, agrees and assures the agreement of its SIB and the agreement of each recipient of Federal assistance derived from the SIB within the state (subrecipient) that each transit Project financed with Federal assistance derived from SIB will be administered in accordance with:

(1) Applicable provisions of section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or of the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, and any further amendments thereto;

(2) The provisions of any applicable Federal guidance that may be issued;

(3) The terms and conditions of Department of Labor Certification(s) of Transit Employee Protective Arrangements that are required by Federal law or regulations;

(4) The provisions of the FHWA and FTA cooperative agreement with the state to establish the state's SIB Program; and

(5) The provisions of the FTA grant agreement with the state that provides Federal assistance for the SIB, except that any provision of the Federal Transit Administration Master Agreement incorporated by reference into that grant agreement will not apply if it conflicts with any provision of National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or section 1511 of TEA-21,

as amended, 23 U.S.C. 181 note, Federal guidance pertaining to the SIB Program, the provisions of the cooperative agreement establishing the SIB Program within the state, or the provisions of the FTA grant agreement.

B. The state agrees to comply with, and assures the compliance of the SIB and each subrecipient of assistance provided by the SIB with, all applicable requirements for the SIB Program, as those requirements may be amended from time to time. Pursuant to subsection 1511(h)(2) of TEA-21, 23 U.S.C. 181 note, the state understands and agrees that any previous cooperative agreement entered into with FHWA and FTA under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, has been or will be revised to comply with the requirements of TEA-21.

C. The state assures that the SIB will provide Federal assistance from its Transit Account only for transit capital projects eligible under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note or under section 1511 of TEA-21, 23 U.S.C. 181 note, and that those projects will fulfill all requirements imposed on comparable capital transit projects financed by FTA.

D. The state understands that the total amount of funds to be awarded will not be immediately available for draw down. Consequently, the state assures that it will limit the amount of Federal assistance it draws down for deposit in the SIB to amounts that do not exceed the limitations specified in the grant agreement or the approved project budget for that grant agreement.

E. The state assures that each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized by Federal statute for use in the SIB, and to implement, manage, operate, and maintain the project and project property for which such assistance will support.

F. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.

G. The state recognizes that the SIB, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by the SIB, the state assures, on behalf of the SIB, that:

(1) The SIB has complied or will comply with all applicable civil rights requirements;

(2) The SIB has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;

(3) The SIB will provide Federal assistance only to a subrecipient that is either a public or private entity recognized under state law as having the legal capability to contract with the state to carry out its proposed project;

(4) Before the SIB enters into an agreement with a subrecipient to disburse Federal assistance for a project, the subrecipient's project is included in the Statewide Transportation Improvement Program; all

projects in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and the requisite certification that an opportunity for a public hearing has been provided;

(5) The SIB will not provide Federal financial assistance for any project that does not qualify for a categorical exclusion as described in 23 CFR 771.117(c) until the required Federal environmental finding has been made. Moreover, the SIB will provide no financial assistance for a project requiring a Federal conformity finding in accordance with the Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93, until the required Federal conformity finding has been made;

(6) Before the SIB provides Federal assistance for a transit project, each subrecipient will have complied with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project; and

(7) The SIB will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed, including specific provisions that any security or debt financing instrument that the SIB may issue shall contain an express statement that the security or debt financing instrument does not constitute a commitment, guarantee, or obligation of the United States.

H. The state also recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance of each subrecipient, the state assures, on behalf of each subrecipient, that:

(1) The subrecipient has complied or will comply with all applicable civil rights requirements;

(2) The subrecipient has complied or will comply with applicable requirements of U.S.

DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;

(3) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;

(4) The subrecipient has complied or will comply with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project;

(5) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;

(6) The subrecipient has complied with or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;

(7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;

(8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other implementing requirements FTA may issue;

(9) The subrecipient has complied or will comply with the requirement that its project provides for the participation of private mass transportation companies to the maximum extent feasible;

(10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for

its franchise or property acquired under the project;

(11) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;

(12) The subrecipient has complied or will comply with all nonprocurement suspension and debarment requirements;

(13) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;

(14) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;

(15) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;

(16) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and

(17) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.

I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the SIB and its subrecipients, as well as the states, will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by the SIB and its subrecipients to assure compliance with applicable Federal requirements.

##

Selection and Signature Page(s) Follow

BILLING CODE 4910-57-P

Appendix A

**FEDERAL FISCAL YEAR 2005 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS***(Signature page alternative to providing Certifications and Assurances in TEAM-Web)***Name of Applicant:** _____

The Applicant agrees to comply with applicable requirements of Categories 01 - 16. _____
(The Applicant may make this selection in lieu of individual selections below.)

OR

**The Applicant agrees to comply with the applicable requirements of the following
Categories it has selected:**

<u>Category</u>	<u>Description</u>	
01.	Required of Each Applicant	_____
02.	Lobbying	_____
03.	Private Mass Transportation Companies	_____
04.	Public Hearing	_____
05.	Acquisition of Rolling Stock	_____
06.	Bus Testing	_____
07.	Charter Service Agreement	_____
08.	School Transportation Agreement	_____
09.	Demand Responsive Service	_____
10.	Alcohol Misuse and Prohibited Drug Use	_____
11.	Interest and Other Financing Costs	_____
12.	Intelligent Transportation Systems	_____
13.	Urbanized Area, JARC, and Clean Fuels Programs	_____
14.	Elderly and Persons with Disabilities Program	_____
15.	Nonurbanized Area Formula Program	_____
16.	State Infrastructure Bank Program	_____

(Both sides of this Signature Page must be appropriately completed and signed as indicated.)

Appendix A

FEDERAL FISCAL YEAR 2005 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE
(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)

AFFIRMATION OF APPLICANT

Name of Applicant: _____

Name and Relationship of Authorized Representative: _____

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and Federal requirements applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2005.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in Appendix A, should apply, as required, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2005.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal Transit program authorized in Chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature _____ Date: _____

Name _____
Authorized Representative of Applicant

AFFIRMATION OF APPLICANT'S ATTORNEY

For (Name of Applicant): _____

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature _____ Date: _____

Name _____
Attorney for Applicant

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.